

UNITED STATES DISTRICT COURT
for the
EASTERN DISTRICT OF NORTH CAROLINA

U.S.A. vs. Richard Sheltman

Docket No. 5:17-CR-420-1D

Petition for Action on Supervised Release

COMES NOW Mindy L. Threlkeld, Senior U.S. Probation Officer of the court, presenting a petition for modification of the Judgment and Commitment Order of Richard Sheltman, who, upon an earlier plea of guilty to 4 counts of 18 U.S.C. §2252(a)(2), Receipt of Child Pornography and 1 count of 18 U.S.C. §2252(a)(4)(B), Possession of Child Pornography, was sentenced by the Honorable George A. O'Toole, in the District of Massachusetts, on November 13, 2007, to the custody of the Bureau of Prisons for a term of 78 months. It was further ordered that upon release from imprisonment the defendant be placed on supervised release for a period of 120 months.

On September 6, 2012, a relocation request to the Eastern District of North Carolina was approved by the U.S. Probation Office.

Richard Sheltman was released from custody on July 10, 2013, at which time the term of supervised release commenced. Jurisdiction was transferred from the District of Massachusetts to the Eastern District of North Carolina on December 22, 2017.

RESPECTFULLY PRESENTING PETITION FOR ACTION OF COURT FOR CAUSE AS FOLLOWS: The defendant is a registered sex offender who has remained in compliance with the registry, sex offender treatment, and polygraphs. The defendant is requesting permission to purchase a computer and smart phone for personal use. The probation office does not object to this request but is requesting additional conditions in an effort to monitor the defendant in using these internet capable devices.

The defendant signed a Waiver of Hearing agreeing to the proposed modification of supervision.

PRAYING THAT THE COURT WILL ORDER that supervised release be modified as follows:

1. To ensure compliance with supervision, the defendant shall submit to unannounced searches of any computer or computer equipment (including mobile phones, tablets, and data storage devices) which may include the use of computer monitoring technology, computer search or analysis software, and copying of all data from the device and external peripherals. Such examination may require the removal of devices from the defendant's possession for the purpose of conducting a thorough inspection.
2. At the direction of the U.S. Probation Officer, the defendant shall consent to the installation of systems or software that will allow the probation officer or designee to monitor computer use on any computer that the defendant owns or is authorized to use. The defendant shall pay the costs of this monitoring.
3. The defendant shall not use, possess, or control any computer-based counter forensic tools. The defendant shall not use or have installed any programs specifically and solely designed to encrypt data, files, folders, or volumes of any media. The defendant shall, upon request, immediately provide the U.S. Probation Officer with any and all passwords required to access data compressed or encrypted for storage by any software.

4. The defendant shall not possess any legal or illegal pornographic material, including any materials depicting and/or describing "child pornography" and/or "simulated" child pornography as defined in 18 U.S.C. § 2256, nor shall the defendant enter any location where such materials can be accessed, obtained, or viewed, including pictures, photographs, books, writings, drawings, videos, or video games.
5. The defendant shall not have any social networking accounts without the approval of the U.S. Probation Officer.
6. The defendant shall not purchase, possess, or control any cameras, camcorders, or movie cameras without prior approval of the U.S. Probation Office.

Except as herein modified, the judgment shall remain in full force and effect.

Reviewed and approved,

I declare under penalty of perjury that the foregoing
is true and correct.

/s/ Eddie J. Smith
Eddie J. Smith
Supervising U.S. Probation Officer

/s/ Mindy L. Threlkeld
Mindy L. Threlkeld
Senior U.S. Probation Officer
150 Rowan Street Suite 110
Fayetteville, NC 28301
Phone: 910-354-2539
Executed On: January 05, 2018

ORDER OF THE COURT

Considered and ordered this 10 day of January, 2018, and ordered filed and
made a part of the records in the above case.

James C. Dever III
James C. Dever III
Chief U.S. District Judge